

STATE REPRESENTATIVE KATHLEEN PASSIDOMO DISTRICT 106



FLORIDA HOUSE OF REPRESENTATIVES

2013 LEGISLATIVE SESSION

A Letter from Representative Passidomo

Thank you for allowing me the opportunity to represent you in Tallahassee and to share my thoughts on the 2013 Legislative Session. After weeks of committee meetings and 60 days of Session it is good to be back home!

During the 2013 Session the Florida Legislature confronted challenging issues such as election and ethics reform, education reform, pension reform, and faced the difficult and complex issue of Medicaid expansion. While our economy is seeing signs of improvement resulting in greater revenues to the state, we acknowledge that government must continue to live within our means while also responsibly planning for the future. Although the 2013-2014 budget funds priorities that hadn't received funding or saw reduced funding during the past few years of economic downturn we committed to disciplined fiscal priorities including adding 2.8 billion dollars into the State's reserves. This newsletter provides a snapshot of the 2013 Session and I look forward to hearing from you with any comments or questions you may have.

Sincerely,

Representative Kathleen Passidomo
District 106

About Representative Passidomo

Representative Passidomo was elected to the Florida House of Representatives in November 2010, and re-elected in 2012.

Representative Passidomo serves as the Vice Chair of both the Judiciary Committee and the Justice Appropriations Subcommittee. In addition, Representative Passidomo also serves on the Civil Justice Subcommittee, the School Choice & Innovation Subcommittee, and the Select Committee on the Patient Protection and Affordable Care Act.



The Budget

This Session, the Legislature again met its constitutional obligation to create a balanced budget and produced a budget that I believe strikes the right balance between funding key priorities and keeping taxes low, while ensuring a fiscally responsible \$2.8 billion in reserves. Throughout this Session's budget process we sought to prioritize funding in the best interest of all Floridians. Additional allocations in this year's budget reflect an improving economy as well as our decision to fund priorities that we haven't been able to fund in recent years due to budget shortfalls.

Education

The budget demonstrates our continued commitment to providing a quality education for all Florida students by providing an additional \$1.5 billion to the overall K-12 budget which includes a 6.34% increase for the Florida Education Finance Program funds. Additionally, the budget sets aside \$480 million for teacher pay increases to be distributed by local school boards. The budget is also a big win for higher education by providing our state university system an 8% increase in funding and almost a 5% funding increase to our state colleges.

Economic Development

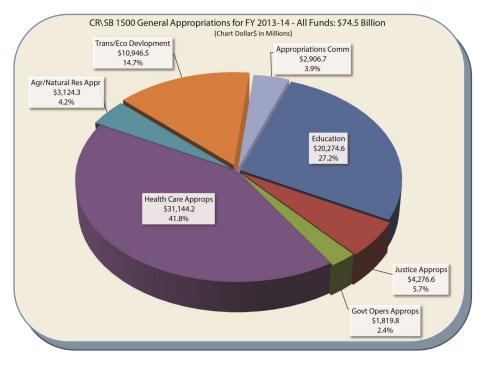
In my opinion the Legislature showed its commitment to creating a climate for economic growth, innovation and job creation in this state by making significant investments in infrastructure and economic development initiatives. We are continuing this commitment to growing Florida's economy and creating jobs by providing \$198.4 million for various economic development programs as well as fully funding the Transportation Work Program at \$8.5 billion.

Healthcare

The Legislature sought to strengthen Florida's safety net by providing funding to serve our most vulnerable populations such as our elderly, disabled and citizens in need of mental health and substance abuse treatment. This budget includes \$996.3 million for Medicaid Price Level and Caseload increases and fully funds the anticipated growth of Kidcare. \$36.3 million has been allocated to increase those served by the Agency for Persons with Disabilities in the hopes that there will no longer be a waiting list for these much needed services in our state.

Agriculture & Natural Resources

Florida's natural resources are what make Florida a unique place as well as an important driver for our economy so we have provided \$78 million for Everglades Restoration and \$81.1 million for land purchases and conservation easements. Financial assistance for local and state governments has also been allocated to provide for beach renourishment and dune restoration.



Justice

This budget recognizes the importance of public safety to the people of this state by providing \$51.9 million for the Department of Corrections to address the increases in prison population, health services. We have also provided \$1.4 million for the increased criminal appeals workload and staffing for the Statewide Prosecution Pill Mill Unit in the Office of the Attorney General.

State Worker Pay Raise

Recognizing the hard work and dedication of our state employees we provided an across the board \$1,400 per year salary increase for State and University employees making less than \$40,000 per year and \$1,000 for employees making more than \$40,000. Additionally, one time merit bonuses of up to \$600 will be available for employees based on performance. Recognizing the unique service that law enforcement officers provide for this state, the budget also provides an additional 3% pay increase above the \$1,400 pay raise for all state law enforcement officers and an additional 2% increase for employees who have served 5 years or more. Most importantly, the budget fully funds the unfunded actuarial liability and normal cost of the Florida Retirement System Plan for State and University employees.

Sponsored Legislation

Foreclosure Reform

HB 87 relating to Foreclosure Reform passed through the House and the Senate with bipartisan support and was signed into law by Governor Scott on June 7th. Florida has a lengthy and time consuming foreclosure process with the average time being more than double the national average. I believe that Florida's foreclosure crisis has negatively impacted our neighborhoods, impeded Florida's economic recovery and clogs up our court system. This new law, which I was proud to sponsor in the House, requires lenders to produce the mortgage note or provide sworn evidence that they are the owners of the loan. I believe this provision will significantly reduce the fraud and that resulted from the robo-signing practices of the past. For the benefit of the borrower, the legislation also shortens the period of time when a lender can sue a borrower for the difference between the amount owed on the loan from the amount the lender sold the property for from five years to one year. I believe that this will allow borrowers who have been foreclosed on to move on with their lives and remove this lingering debt. The bill also makes revisions to streamline and expedite the judicial process for foreclosures and also permits community and condominium associations to request the court to move a case along when there are delinquent assessments due. Finally, the legislation provides certainty and protection to a good faith purchaser who acquires property after the final judgment of foreclosure. I believe that this bipartisan legislation took a balanced approach to make real reforms to our process and allow Florida's economy to get moving again.

Design Professionals

HB 575 relating to Design Professionals (architects, engineers, interior designers, geologists, landscape architects and surveyors) passed through the House and Senate floor with overwhelming bi-partisan support and was signed into law by the Governor. Previously, Florida common law held that design professionals working as employees of a company could not be sued personally for professional negligence where there was a contract remedy against their design firm. Several recent court decisions reinterpreted that long standing common law by holding that design professional employees could always be sued personally, regardless of a contract remedy. HB 575 codifies the common law "economic loss rule" as it pertains to contracts between design professionals and their customers provided that contract contains certain provisions as required by this new law.



Representative Passidomo congratulated after passing HB 87.

Assignment for the Benefit of Creditors Statute

HB 833 relating to the Assignment for the Benefit of Creditors statute passed unanimously on the House and Senate floor and was signed into law by Governor Scott. HB 833 is strongly supported by the Business Law Section of the Florida Bar and clarifies and streamlines certain procedures applicable to an assignment for the benefit of creditors pursuant to Chapter 727 of the Florida Statutes, which is an alternative to bankruptcy for insolvent businesses. HB 833 contains much needed changes to this technical procedure and address subtle conflicts or inconsistencies in current law that have created lack of uniformity for practitioners and the courts in the application of the statute.

Elder Financial Abuse

HB 253 on the Protection of Vulnerable Persons (elder financial abuse bill) passed unanimously through all three committees in the House and was positioned to be heard on the Floor. The Senate companion SB 1222 passed through one of its referenced committees but was not heard in it's final committees. This bill would have provided law enforcement and prosecutors a greater ability to arrest and prosecute those individuals who prey on our most vulnerable citizens. I am committed to bring this good bill back up for consideration in the 2014 Session.

Education Accountability

HB 7027 relating to Education Accountability bill passed three committees of reference but did not make it to the House Floor before Session's end. To ensure that the good provisions of this legislation became law they were removed and added to other pieces of legislation to improve overall school performance. This legislation will provide school districts with more flexibility to choose the most effective strategies that will help to close student achievement gaps. The pool of schools that receive a school grade from the State will be expanded, thereby increasing accountability for schools with lower populations.

Resolutions

Senator Garrett Richter and I jointly sponsored Resolutions proclaiming July 2013 as Bladder Cancer Awareness Month and proclaiming the Second Sunday in August as the National Spirit of '45 Day to honor our World War II generation and to commemorate the anniversary of the end of World War II on August 14, 1945.

2013 Session Highlights

Education Reform

Besides an additional \$1.5 billion dollars in K-12 funding and including \$480 million dollars for teacher pay increases to be distributed by local school boards, the Legislature also passed SB 1076 which contains sweeping changes to Florida's education systems with a goal of helping to prepare students for the future as they enter the workforce. SB 1076 changes high school diploma requirements by creating two degree designations that students may earn through course choices: Scholar and Merit designations. A higher emphasis will be given to digital literacy and technological competence, as well as a more relevant curriculum will be provided to ensure a higher level of engagement and lower dropout rates. High school students will also be able to earn various industry certifications to enable them to immediately enter the work force after high school graduation if they so choose.

Florida's Economy

This Session we continued our commitment to growing the economy and creating jobs here in Florida. HB 7007 pertaining to Economic Development provides for a sales tax exemption for equipment purchases by manufacturers. This legislation will exempt manufacturers from paying the 6% sales tax on new equipment purchases which I believe will help in continuing to make Florida friendlier to businesses, creating jobs and diversifying the economy. Florida's economy is growing and attracting more businesses which can be seen from the announcement of the move of Hertz's headquarters to our neighbor Lee County. SB 604 also included other tax credits benefiting businesses including an expansion of an aircraft parts and maintenance tax exemption and a sales tax exemption for natural gas used to generate electricity in a non-combustion fuel cell.



The House Chamber on Opening Day of the 2013 Session.

Ethics Reform

This Session, we have worked hard to ensure that those elected in Florida are held to a higher standard by addressing a number of reported ethical concerns. SB 2 makes significant changes to Florida's ethics laws by placing elected officials' financial disclosures online and allows for the Commission on Ethics to collect unpaid fines for violations of financial disclosure requirements. It also prohibits state officers from voting on matters that benefit them directly and requires state constitutional officers to complete annual ethics training. Additionally, SB 2 bars current and former legislators from lobbying the executive and legislative branches for two years after leaving office. This legislation places Florida among the nation's leaders in ethics reform with the most comprehensive ethics legislation in 30 years.

Elections Reform

As a result of overwhelming citizen input, the Legislature passed HB 7013 amending the Florida Election Code. HB 7013 increases the number of early voting days and voting hours allowed each day as well as expanding early voting locations. It will also allow for new county residents to change their addresses at the polls on Election Day and allows absentee voters who forget to sign their ballot to correct their mistake. Ballot summaries for Legislature proposed amendments to the Florida Constitution will be limited to 75 words or less consistent with citizen proposed amendments.

Other Important Legislation

- Recognizing the Florida Everglades as an iconic state and national treasure, HB 7065 was passed implementing the new \$880 million Everglades Restoration Program.
- SB 1770 was passed in an effort to reduce the size and exposure of Citizen's Property Insurance by modifying the eligibility requirements, creating a Citizens Inspector General and a clearinghouse at Citizens.
- The Legislature passed SB 1792 reforming medical malpractice litigation to ensure a just process for all involved.
- SB 52 bans texting while driving to increase the safety of Florida's roads.
- Death penalty sentences in Florida often take decades to be carried out. HB 7083 known as the Timely Justice Act will eliminate frivolous pleadings and filings that unnecessarily delay death sentences from being carried out.

